

REMARKS

Claim Amendments

The claims are amended for clarity and to address the Examiner's objection. The amendments and the new claim are fully supported by the specification, claims and drawings as originally filed.

Objections to the Claims

The Examiner objected to claim 14 because of a typographical error which Applicant has corrected in the foregoing claim amendments. Accordingly, Applicant requests that the objection be withdrawn.

Claim Rejections – 35 U.S.C. § 103

Claims 1-11 and 13-21 stand rejected under 35 U.S.C. § 103(a) as obvious over Siegfried (DE 3633348) in view of Oestrich (US 5,161,709) in further view of McClure (US 1,129,040). In light of the amendments presented above and the arguments below, Applicant respectfully requests that these rejections be withdrawn.

Summary of the Presently Claimed Invention

The presently claimed invention provides a collapsible storage container in which the four gates interlock with one another when in the erect in-use position. Each gate has a pair of vertical clamping members which clamp the infill panel to the gate and also form a slot along each of the opposite vertical margins (i.e. the vertical end faces) of the gate. Removably attached to the side gates are vertical C-shaped corner posts, each of which has two inwardly facing flanges. These flanges in the C-posts interengage with the slots along the vertical margins of adjacent gates, thus locking all of the gates in the erect in-use position.

The Cited Combination Distinguished

None of the cited references, either alone or in combination, discloses C-shaped corner posts with flanges that interengage within slots formed along the vertical margins (end faces) of adjacent gates. The Examiner concedes that the claimed corner posts are not taught by Siegfried, but

contends that this feature is taught by McClure. However, although McClure does teach a C-shaped vertical corner member 13, this corner member 13 does not have flanges which engage with slots on the gates. As best seen in Figure 1 of McClure, the gates have lips which are "trapped" by the corner member 13. If the member 13 were incorporated into the container of Siegfried, the latch bolts taught by Oestreich would be completely unnecessary because the gates would already be retained in the upright position by the corner member 13.

Additionally, the Examiner contends that Oestreich teaches flange receiving slots in, for example, Figure 12. However, unlike the present invention, the slots of Oestreich are not along the vertical margins (end faces) of the gates. As seen in, for example, in Figure 6 of the instant application, slot 19 is on the vertical margin (end face) of the gate and is generally parallel to the end face. This particular configuration is important because it allows for the use of only one type of corner post for each of the four corners, and because it allows the flanges of the corner post to slide right into the slots when the gates are raised. Thus, the positioning of the slots on the vertical margins of the gates both simplifies use of the collapsible container, but also makes manufacturing and maintenance simple by enabling the use of only type of corner post, rather than different shaped corner posts for each corner. Furthermore, these slots are formed by flanges of clamping members which clamp removable infill panels to the gates. Oestreich simply does not teach such a clamping member.

Furthermore, the Siegfried/McClure/Oestreich combination is inoperable and does not perform an important function of the present invention. The side and end gates of the present invention are pivoted into upright positions in which they interlock with one another, and are locked in place by simply engaging the locking bolts. Similarly, the gates can quickly and easily be folded into the collapsed position by simply disengaging the locking bolts and pivoting the gates downward. In the cited combination, by contrast, the gates do not interlock with one another at all (note Figure 6 of Siegfried). Instead, in order to lock the gates into upright positions, they would first have to be manually held in place while the corner member 13 in McClure is slid down over the top of the ends of the gates. This is an extremely unwieldy and cumbersome process when, as is often the case, the collapsible container is relatively large. A user would have to perfectly vertically align a corner member 13 with the lips on the gates in order for the corner member 13 to slide into place. Given the elongate shape of the corner member 13, and the fact that it would often

be made of metal, it would be extremely difficult for a user to lift the member 13 into the air and orient it perfectly for sliding engagement with the lips. Similarly, to collapse the gates back down, the corner member 13 of McClure must be slid all the way back up the length of the gates. This is a much more time consuming and difficult process than simply disengaging latching bolts, as is possible with the present invention.

This deficiency of the cited combination is also important because one side gate could not be released from the corner piece without the impractical and often undesirable result of the adjacent panel captured therein also being released. This is because the retaining member 13 of McClure holds the lips of adjacent gates "in firm contact" with each other. McClure 4:30-34. In the present invention, by contrast, a gate can be disengaged from the corner member by simply disengaging locking bolts.

Claimed Features Not Present in Cited Combination

As explained above, the presently claimed invention has several important features not present in the Siegfried/McClure/Oestreich combination. For example, as claimed in independent claim 1, the cited combination lacks "elongate perimeter frame attachment members attached to and extending along opposite vertical margins of each of the end gates and defining therewith an outwardly opening locking flange receiving slot." As explained above, the cited combination does not have slots along the vertical margins of the gates. Similarly, as claimed in claim 8, the cited combination lacks "each said corner post member having a pair of inwardly directed locking flanges which respectively locate in outwardly opening flange receiving slots on the vertical margins of adjacent gates." Finally, as claimed in new claim 22, the cited combination lacks "each C-section post having two perpendicular inwardly facing flanges located within the outwardly facing flange-receiving slots of the vertical end faces of adjacent side gates and end gates."

The cited combination also lacks a clamping member which not only secures an infill panel to the gate, but also forms a flange receiving slot along the vertical margin/end face of the gate. For example, as claimed in claim 9: "a second outwardly directed flange extending parallel to the vertical margin of the gate and spaced outwards therefrom so as to define said outwardly opening flange receiving slot extending along the entire length of the vertical edge of the gate." As claimed in claim 22: "each vertical clamping member having a clamping flange and an outwardly facing

flange perpendicular to the clamping flange, the outwardly facing flange forming an outwardly facing flange-receiving slot extending the entire length of the vertical end face of the vertical frame member.”

As the cited combination does not disclose at least the claimed features noted above, Applicant respectfully requests that the rejections be withdrawn and that all claims be allowed. However, if the Examiner does not believe the present amendments and arguments place the claims in condition for allowance, he is encouraged to contact the undersigned attorney by telephone so that further prosecution may be facilitated.

SUMMARY

If the Examiner believes that it would facilitate prosecution, Applicant's attorney, Brooks Gifford III, may be contacted at (619) 544-7208, or at bgifford@gordonrees.com.

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Respectfully submitted,

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By: 
Brooks Gifford III
Registration No. 58,929

**Please recognize our Customer Number 27111
as our correspondence address.**

GORDON & REES, LLP
101 West Broadway, Suite 1600
San Diego, California 92101-8217
Phone: (619) 696-6700
Facsimile: (619) 696-7124
Attorney Docket No. BMADD-1031736